

The Board of County Commissioners convened in regular session on this Tuesday, October 11, 2011, at Bushnell, Florida, with the following members present to wit: Richard Hoffman, District No. 1; Douglas Gilpin, 2nd Vice Chairman, District No. 2; Donald Burgess, Chairman, District No. 3; Garry Breeden, Vice Chairman, District No. 4; and Randy Mask, District No. 5. The following individuals were also present and acting in their respective official capacities: Bradley Arnold, County Administrator; Bill Kleinsorge, Finance Director; Connie Webb, Deputy Clerk; and George Angeliadis of The Hogan Law Firm, Attorneys for the Board. Chairman Burgess called the meeting to order at 5:00 p.m. with the invocation given by Commissioner Mask followed by the flag salute led by 2nd Vice Chairman Gilpin.

1. TIMED ITEMS AND PUBLIC HEARINGS

Chairman Burgess called for a public hearing to consider the recommendations of the Zoning and Adjustment Board. Proof of Publication, as advertised, filed herewith.

Chairman Burgess advised that "If you plan to speak during any of the public hearings listed under number 1 of the agenda which are marked with an asterisk, indicating they are quasi judicial in nature, please rise and be sworn." Those responding were sworn in by Connie Webb, Deputy Clerk. Chairman Burgess reminded the audience that "only competent, substantial, fact based testimony or evidence will be considered by the Board in deciding the quasi judicial matters listed on today's agenda. Pure speculation or opinion, not based on competent facts, cannot be legally considered by the Board in weighing the appropriateness of the quasi judicial application. If you intend to speak on an item marked "quasi judicial," please keep this in mind. Finally, please state your name, address and whether or not you have been sworn when you approach the podium to speak on a quasi judicial matter."

- a. 5:30 pm - Public Hearing - Zoning and Adjustment Board recommendations

Brad Cornelius, Director of Planning and Development, presented the following cases for consideration:

- 1. *R2011-0028 - Rezoning on 10 acres MOL from a RR5 to A10 - C470/Sumterville

The Chairman polled the Board Members for ex parte communications, written or verbal, related to this case. Commissioner Hoffman-none; Commissioner Mask - none; 2nd Vice Chairman Gilpin - none; Vice Chairman Breeden-none; and Chairman Burgess-none.

The applicant is requesting a rezoning on 10 acres MOL from RR5 to A10. The subject property is surrounded by a vested limerock mine and is proposed to be incorporated into the mining operation. There were three (3) notices sent with one (1) being returned in objection. The Zoning and Adjustment Board recommended approval by a vote of 5-0.

PUBLIC - There was no public input.

10-11-11-1-a-1

Commissioner Mask moved, with a second by 2nd Vice Chairman Gilpin, to approve *R2011-0028 - Victoria and Brad Gasque, III, - Rezoning on 10 acres MOL from a RR5 to A10 and the related resolution (No. 2011-52). The motion carried unanimously 5 - 0.

2. *C2011-0001: A Conditional Use Permit for expansion of Bedrock Resources, Inc. Limerock Mine on C470 in Sumterville

The Chairman polled the Board Members for ex parte communications, written or verbal, related to this case. Commissioner Hoffman-none; Commissioner Mask - none; 2nd Vice Chairman Gilpin - none; Vice Chairman Breeden-none; and Chairman Burgess-none.

The applicant is requesting a Conditional Use Permit on two non-vested areas adjacent to the vested mine formerly owned by Dixie Lime & Stone Co. There are two distinct areas under application. The northern area consists of 29 acres fronting on C470. The southern area consists of 29 acres MOL and is surrounded on three sides by former and vested limerock mines. Bedrock Resources has concurrently applied for an amendment to Operating Permit OP2010-0001, which will incorporate the former Dixie Lime & Stone Co. mine and the subject properties into their current mining operation. Five notices were sent to surrounding property owners. Four responses were received from two land owners, two being in support of the project and two in opposition. The Development Review Committee has reviewed the proposed amendment and recommends approval. The Zoning and Adjustment Board also reviewed the request and recommended approval by a vote of 5-0.

David Springstead, Springstead Engineering, 727 South 14th Street, Leesburg, spoke on behalf of the applicant.

PUBLIC - Delphene Klein, 22 Carmel Lane, Goldsprings Farm, MI, owns property immediately to the east of the proposed site. She is not in favor of the request as she feels it will depreciate her property value and therefore make it more difficult to sell. **(CLERK'S NOTE:** Ms. Klein had not been previously sworn and was sworn prior to speaking.)

David Springstead responded to Ms. Klein's comments and concerns.

10-11-11-1-a-2

Vice Chairman Breeden moved, with a second by 2nd Vice Chairman Gilpin, to approve *C2011-0001 - Request for a Conditional Use Permit for expansion of Bedrock Resources, Inc. Limerock Mine on C470 in Sumterville. The motion carried unanimously 5 – 0.

3. OP2011-0003: Amendment of an Operating Permit (OP2010-0001) for Bedrock Resources, Inc., Limerock Mine on C-470 in Sumterville (Staff Recommends Approval).

This is related to the prior case C2011-0001. The applicant is requesting amendment of Operating Permit OP2010-0001 as follows:

B1. Expiration date is adjusted to reflect the date of the current amendment (2021).

B2. Legal description is adjusted to include the additional 58.7 acres MOL.

B3. Mining Requirements modified to recognize the presence of the vested limerock mine (f/k/a Dixie Lime & Stone) that is integral to the mining site plan and phasing plan.

There were five (5) notices sent with two (2) being returned in favor and one (1) from Ms. Klein (who spoke earlier) in objection. The Development Review Committee reviewed the proposed amendment and recommended approval.

PUBLIC - There was no public input.

10-11-11-1-a-3

2nd Vice Chairman Gilpin moved, with a second by Commissioner Hoffman, to approve OP2011-0003 - Amendment of Operating Permit (OP2010-0001) for Bedrock Resources, Inc. Limerock Mine on C470 in Sumterville. The motion carried unanimously 5 – 0.

4. *R2011-0024 - Rezoning on 4.80 acres MOL from RR5 to RR1 - CR 615/Bushnell (ZAB recommends approval)

The Chairman polled the Board Members for ex parte communications, written or verbal, related to this case. Commissioner Hoffman-none; Commissioner Mask - none; 2nd Vice Chairman Gilpin - none; Vice Chairman Breeden-none; and Chairman Burgess-none.

The applicant is requesting a rezoning on 4.80 acres MOL from RR5 to RR1 to complete a lineal transfer from parent to child. The deed contains the correct lineal transfer verbiage. There were six (6) notices sent with one (1) being returned in objection. The Zoning and Adjustment Board recommended approval by a vote of 5-0.

PUBLIC - There was no public input.

10-11-11-1-a-4

Commissioner Hoffman moved, with a second by Vice Chairman Breeden, to approve *R2011-0024 - Daniel G. Estrada -Rezoning on 4.80 acres MOL from RR5 to RR1 and the related resolution (No. 2011-53). The motion carried unanimously 5 – 0.

5. *R2011-0026 - Rezoning on 1.48 acres MOL from a non-vested C2 & RR to RR1 - CR 300/Lake Panasoffkee (ZAB recommends approval)

The Chairman polled the Board Members for ex parte communications, written or verbal, related to this case. Commissioner Hoffman-none; Commissioner Mask - none; 2nd Vice Chairman Gilpin - none; Vice Chairman Breeden-none; and Chairman Burgess-none.

The applicant is requesting a rezoning on 1.48 acres MOL from a non-vested C2 and RR to RR1. The applicant has acknowledged that the property is in a flood zone. There were five (5) notices sent with two (2) being returned in favor. The Zoning and Adjustment Board recommended approval by a vote of 5-0.

PUBLIC - There was no public input.

10-11-11-1-a-5

2nd Vice Chairman Gilpin moved, with a second by Commissioner Mask, to approve *R2011-0026 - Thomas C. Davis, et al - Rezoning on 1.48 acres MOL from a non-vested C2 and RR to RR1 and the related resolution (No. 2011-54). The motion carried unanimously 5 – 0.

*Quasi Judicial Hearing

2. REPORTS AND INPUT

- a. Proclamation recognizing October 2011 as Long-Term Care Residents Rights Month in Sumter County

Chairman Burgess read the proclamation declaring October 2011 as Long-Term Care Residents Rights Month into the record.

10-11-11-2-a-1

- b. County Administrator

Bradley Arnold, County Administrator, presented the following items to the Board for information.

1. Purchase Orders (For Information Only)

Mr. Arnold explained the clarification memorandum being attached to PO # 54242 regarding purchase of service pins.

10-11-11-2-b-1

2. Road Project Update Report (For Information Only)

10-11-11-2-b-2

3. Facilities Development Update Report (For Information Only)

10-11-11-2-b-3

4. Significant Schedule of Events (For Information Only)

10-11-11-2-b-4

5. Rural Metro Status Report (For Information Only)

10-11-11-2-b-5

6. Residency of BOCC Employees (For Information Only)

10-11-11-2-b-6

7. Southern Region SARE/SRDC Sustainable Community Innovation Grant Proposal (For Information Only)

This grant proposal was submitted by the County Extension Office and will be known as the "Connecting Farm and Food Entrepreneurs to Customers Using a Local Brand".

10-11-11-2-b-7

8. Memorandum of Agreement between the State of Florida, Department of State, Division of Elections and the Sumter County Supervisor of Elections Office Federal Elections regarding FY 2011/2012 Grant (For Information Only)

This agreement is related to receipt and use of Help America Vote Act of 2002 (HAVA) funds for FY 2011-2012

10-11-11-2-b-8

9. Memorandum of Understanding (MOU) related to the call handling procedures of the Sumter County Public Safety Answering Points (PSAPs) between the Board of County Commissioners of Sumter County, The Villages Center Community Development District, The City of Wildwood and The Sumter County Sheriff's Office (For Information Only)

The purpose of this MOU is to establish an understanding as to the processing of 9-1-1 calls for service by the PSAPs by the County, the District, the City and the Sheriff within Sumter County.

10-11-11-2-b-9

10. Summary of Revisions to House Bill 7223 (For Information Only)

This bill revises the public records exemption for bids, proposals, or replies submitted to an agency in response to competitive solicitations, and expands the exemption by expending the duration. The bill revises the public meetings exemption for meetings at which negotiations with vendors are conducted pursuant to competitive solicitations. This includes the recording and records of such meetings. The bill also expands the public meetings exemption to include negotiation, team strategy meetings, and any meetings where vendors make oral presentations or answer questions as part of a competitive solicitation.

10-11-11-2-b-10

11. Sumter County Monthly Misdemeanor Probation Status Report, September 2011 (For Information Only)

10-11-11-2-b-11

12. Claim Information from Florida Association of Counties Trust (FACT) regarding Victoria Feulner, Claim No. FAC2417ML-5-1.2 (For Information Only)

10-11-11-2-b-12

13. Florida Department of Transportation Notification of Funding for FY 2011-12 (For Information Only)

This is the Multi-Year Joint Participation Agreement Notification of Funding for Section 5311, FM Number: 404535-1-84-30; Federal Aid Number: FL-18-X030; Contract Number: AOX11 for FY 2011-2012

10-11-11-2-b-13

14. Sumter County Reduction In Force (RIF) vs. Attrition (For Information Only)

10-11-11-2-b-14

Mr. Arnold added the following items to his report.

15. Letter to Commissioner Breeden from Marlene Staley, Com-Ind Properties, Inc., regarding the moving of the Baker House.

Vice Chairman Breeden recommended sharing the information with the Historical Society.

10-11-11-2-b-15

16. Letter from City of Bushnell regarding Fall Festival.

Mr. Arnold advised that a letter was received from Vince Ruano, City Manager, City of Bushnell, advising that due to the downsizing of this year's Fall Festival, the City would not need the services of Sumter County Transit to provide shuttle transportation for the event.

10-11-11-2-b-16

17. Response to Intent to Protest RFP #019-0-2011/AT (Janitorial Services) by Grosvenor Building Services, Inc.

Mr. Arnold gave a summary of the intent to protest and his response denying same.

10-11-11-2-b-17

18. Mr. Arnold requested that the 2011-2012 Small County Consolidated Grant Agreement be added as Item 3.e.11 under Contracts and Agreements.

2nd Vice Chairman Gilpin moved, with a second by Commissioner Mask, to approve the request of Mr. Arnold to amend the agenda to add the 2011-2012 Small County Consolidated Grant Agreement be added as Item 3.e.11 under Contracts and Agreements. The motion carried unanimously 5 – 0.

- c. County Attorney

George Angeliadis advised that he has received a response from the Attorney General regarding the County's request for an opinion as to the method and level of funding the County is obligated to provide Community Substance Abuse and Mental Health Services Programs under Ch. 349, Part IV, Fla. Stat. The Attorney General's Office advised that the matter is under review and an answer is forthcoming.

10-11-11-2-c-1

- d. Clerk of Court

1. Filing of Intergovernmental Cooperative Agreement for the City of Wildwood (For Information Only)

10-11-11-2-d-1

- e. Board Members

1. Workforce Central Florida (For Discussion)

Chairman brought the Board up-to-date on this issue.

Chairman Burgess advised that during a teleconference meeting of the Workforce Consortium (WC) held on 10/5/11, acting CEO of Workforce Central Force (WCF), Kevin Neal, gained approval to do the following:

1. Provide a plan and its implementation for orientation of the existing future Chairman of each of the five counties (Sumter, Seminole, Osceola, Lake and Orange) of the duties and responsibilities of the consortium.
2. Provide a plan and its implementation for orientation of the newly organized (all new members) WCF members and future members.
3. Provide annual review meetings with WCF and the WC with the County Attorneys/County Administrators in attendance which will include the review of the audit/management letter, financial monitoring, and other reports.
4. Provide public notification via online means to include the updates related to the transition led by him, the WC and WCF minutes, and any pending and/or concluded investigations.
5. Develop and implement internal controls and expanded oversight from the WC and WCF.
6. Institute a forensic audit of the past operations of the WCF.
7. Schedule and conduct the first new WCF board meeting.

There was discussion regarding the two appointments from Sumter County. It was suggested that the appointments come from the private sector. There will be a nomination from the Chamber of Commerce and Mr. Arnold has received a letter from the Sumter County Mining Association recommending Lee Madsen.

10-11-11-2-e-1; 10-11-11-2-e-1-mining

2. Commissioner Randy Mask - No report.
3. Commissioner Richard Hoffman - No report.
4. 2nd Vice Chairman Doug Gilpin - No report.
5. Vice Chairman Garry Breeden

Vice Chairman Breeden reminded everyone that this Saturday (October 15, 2011) is the Bushnell Fall Festival.

6. Chairman Don Burgess

Chairman Burgess discussed the meetings he has attended regarding Workforce Central Florida

f. Public Forum

Leonard Whitaker, 686 CR 467, Lake Panasoffkee, addressed the Board regarding the work that has been done at the Lake and the possibility of a sewer system in the Lake Panasoffkee area and how it might help with keeping the Lake clean. Vice Chairman Breeden gave an update on what is being done regarding the possibility of a sewer system in the Lake Panasoffkee area. **(CLERK'S NOTE:** Public Forum was recessed at 5:30 p.m. for the scheduled Public Hearings.)

f. Public Forum (Continues)

CLERK'S NOTE: Public Forum continued at 5:55 p.m.

Chairman Burgess advised that the Board of County Commissioners welcomes and encourages public input on all issues subject to the Board's jurisdiction which affect the residents of Sumter County. However, to preserve decorum in these proceedings, the Board respectfully requests that any individual wishing to address the Board during the public forum be mindful of the following provisions of Section 2-31 of the Sumter County Code, which have been in effect since 1982. "Each person shall limit his address to five (5) minutes unless granted additional time by majority vote of the Board of County Commissioners. All remarks shall be to the Board of County Commissioners as a body and not to any individual member. Additionally, any person making impertinent or slanderous remarks, or who becomes boisterous, shall be instructed to remain silent by the presiding officer until permission to continue is granted."

Tammy Gorby, 1211 CR 441, Lake Panasoffkee, presented the Board with petitions containing 255 signatures in support of a skate park project in Lake Panasoffkee. These are in addition to the petitions (200 signatures) presented to the Board by Ms. Gorby in May. During discussion Mr. Arnold advised that this project is within the five-year capital improvement plan (2013) for consideration.

10-11-11-2-f-1

Jordan Daly, Umatilla, President and CEO OF ABC Cleanall, the County's current janitorial and cleaning service. Mr. Daly addressed the Board regarding the janitorial contract on the agenda for consideration this evening.

3. NEW BUSINESS-ACTION REQUIRED

a. MINUTES

1. Minutes of Budget Hearing held on September 26, 2011 (Staff recommends approval).

2nd Vice Chairman Gilpin moved, with a second by Vice Chairman Breeden, to approve the minutes of the Budget Hearing held on September 26, 2011. The motion carried unanimously 5 – 0.

10-11-11-3-a-1

2. Minutes of Workshop Meeting held on September 20, 2011 (Staff recommends approval).

Vice Chairman Breeden moved, with a second by Commissioner Mask, to approve the minutes of the Workshop Meeting held on September 20, 2011. The motion carried unanimously 5 – 0.

10-11-11-3-a-2

b. FUTURE PUBLIC HEARINGS OR MEETINGS

1. Request to Cancel Board of County Commissioners Workshops scheduled for November 15, 2011 and December 20, 2011 (Staff recommends approval).

2nd Vice Chairman Gilpin moved, with a second by Vice Chairman Breeden, to approve the request to cancel the Board of County Commissioners Workshops scheduled on November 15, 2011 and December 20, 2011. The motion carried unanimously 5 – 0.

10-11-11-3-b-1

c. APPOINTMENTS

1. Enterprise Zone Development Agency vacancies (Board's option).

No action taken.

10-11-11-3-c-1

2. Bicycle Pedestrian Advisory Committee (BPAC) vacancy (Board's option).

No action taken.

10-11-11-3-c-2

3. Industrial Development Authority vacancy (Board's option).

10-11-11-3-c-3

Chairman Burgess moved, with a second by Commissioner Hoffman, to approve the appointment of John Calandro to the Industrial Development Authority. The motion carried unanimously 5 – 0.

d. FINANCIAL

1. Purchase Order Approval (Staff recommends approval).

PO #54045 in the amount of \$26,843.04 to CenturyLink for maintenance on E911 equipment and routers at SCSO PSAP and PO #54269 in the amount of \$442,968.00 to Rosenbauer Firefighting Technology for replacement of Fire Engines 21 and 34.

10-11-11-3-d-1

2. Budget Amendment A-1 (FY 2011/2012) Capital Outlay Reserve Fund and Series 2006 Construction Fund (Staff recommends approval).

The purpose of this budget amendment is to cover costs on projects carried over from FY 2010/2011.

10-11-11-3-d-2

3. Budget Amendment A-2 (FY 2011/2012) Capital Outlay Reserve Fund (Staff recommends approval).

The purpose of this budget amendment is to cover costs associated with installation of Voice over Internet Protocol (VoIP) for the Emergency Operations Center.

10-11-11-3-d-3

4. Change Order Request to Purchase Order No. 9000034 (Staff recommends approval).

This increase to PO #9000034 (Village CDD #1) by \$5.36 is for additional funds to pay for 4th quarter ROW Maintenance for District #1.

10-11-11-3-d-4

5. Change Order Request to Purchase Order No. 9000035 (Staff recommends approval).

This increase to PO #9000035 (Village CDD #2) by \$6.28 is for additional funds for 4th quarter ROW Maintenance for District #2.

10-11-11-3-d-5

6. Change Order Request to Purchase Order No. 9000036 (Staff recommends approval).

This increase to PO #9000036 (Village CDD #3) by \$4.41 is for additional funds for 4th quarter ROW Maintenance for District #3.

10-11-11-3-d-6

7. Change Order Request to Purchase Order No. 9000062 (Staff recommends approval).

This increase to PO #9000062 (Tetra Tech) by \$3,400 is due to the cost of mine inspections being higher than anticipated.

10-11-11-3-d-7

8. Change Order Request to Purchase Order No. 53837 (Staff recommends approval).

This increase to PO #53837 (Baker & Taylor) by \$6,000 is for additional funds for blanket purchase order for library books and materials (Automatically Yours and Continuations Plans).

10-11-11-3-d-8

9. Approve Second Payment of the Emergency Medical Services Grant Application FY 2010/2011 (Staff recommends approval).

This grant program is authorized and required by Section 401.113(2)(a), Florida Statutes. It is Grant Program Number 64.005 in the Florida Catalog of State Financial Assistance. The grants are paid from the Department of Health's EMS Trust Fund and there are no federal funds involved.

10-11-11-3-d-9

10. Fire and EMS Division Officer Stipend (Staff recommends approval).

10-11-11-3-d-10

2nd Vice Chairman Gilpin moved, with a second by Vice Chairman Breeden, to approve Agenda Items 1 through 10 under Financial. The motion carried unanimously 5 – 0.

e. CONTRACTS AND AGREEMENTS

1. Renewal of Stop Loss for Health Plan with Symetra Life Insurance Company at \$100,000 Specific Deductible and Aggregate Specific Fixed Liability (Self-Funded Liability) of \$205,000 (Staff recommends option 2).

This is for stop loss insurance for the Group Health Plan. Symetra has offered three Specific Stop Loss Deductible (SSLD) levels: \$75,000, \$85,000 and \$100,000. The proposed options would affect premiums as follows:

(A) Renew current \$75,000 SSLD, adding RX benefit - premium increase \$92,388;

(B) Option 1: Increase SSLD to \$85,000, adding RX - premium remains same as current;

(C) Option 2: Increase SSLD to \$100,000, adding RX - premium decreases \$202,137 from renewal rate at current coverage and \$109,749 from coverage at \$85,000 SSLD.

Staff recommends renewing with Option 2 with the \$100,000 SSLD and Aggregate Fixed Liability of \$205,000.

10-11-11-3-e-1

2. Contract Change Order 33 - South Wildwood Fire Station #33 with Emmett Sapp Builders (Staff recommends approval).

This change order for \$5,001.40 is for an increase of scope of work for supply/installation of 1000 gallon LP fuel tank and 800 gallons of propane and installation of voice/data cabling. **CLERK'S NOTE:** This item was pulled for a separate vote at the request of Commissioner Hoffman.

10-11-11-3-e-2

3. Contract Change Order 34 - Downtown Wildwood Fire Station #31 with Emmett Sapp Builders (Staff recommends approval).

This change order for \$12,397.35 is for an increase of scope of work to install additional LP gas line from the back of the Health Department to the generator, to relocate the water tap to the other side of Hall Street and to remove the front awning, adding flashing at brick/metal siding junction and adding a 5' x 4' awning over the entryway. **CLERK'S NOTE:** This item was pulled for a separate vote at the request of Commissioner Hoffman.

10-11-11-3-e-3

4. Contract Amendment between the Florida Department of Corrections and Sumter County Board of County Commissioners (Staff recommends approval).

This is AMD#1 to Work Squad Contract #WS627.

10-11-11-3-e-4

5. Independent Contractor Six Month Extension Agreements for Hauling Services for CDA (Staff recommends approval).

These three Extension Agreements with Waste Management, Inc. are for hauling: 1) municipal solid waste; 2) construction/demolition debris/yard waste; and 3) small tires.

10-11-11-3-e-5

6. Non-Profit Impact Fee Agreement for Christian Worship Center of Center Hill, Inc. (Staff recommends approval).

10-11-11-3-e-6

7. Maintenance Agreement for Fireblast Training Simulator (Staff recommends approval).

This agreement is for a one-year period with Fireblast 451, Inc. for maintenance service on the Fireflash Trainer.

10-11-11-3-e-7

8. Florida Association of Counties Trust (FACT) General Liability Insurance Contract (Staff recommends approval).

This contract agreement for FY 2011/2012 provides for the following:

A. Public Agency Multi-Class Liability: \$134,124 Annual Premium

1. Bodily Injury Liability
2. Property Damage Liability
3. Personal Injury and Advertising Injury Liability
4. Errors or Omissions Liability
5. Civil Rights Liability

B. Designated Wrongful Employment Practices Liability - \$13,087

C. Employee Benefits Errors or Omissions Liability - \$3,994

10-11-11-3-e-8

9. Contract for Medical Examiner Services between Marion, Lake, Citrus and Hernando Counties with Barbara C. Wolf, M.D. and Medicus Forensics, P.A. (Staff recommends approval).

10-11-11-3-e-9

10. Award and enter into contract with USSI for RFP 019-0-2011/AT Sumter County Janitorial Services (Staff recommends approval).

Proposals were received from the following companies: Nelsonic Cleaning Services - \$20,280.00; Sunshine Cleaning - \$22,813.00; USSI - \$176,000.00; American Facility Services - \$213,637.00; GCC Commercial Cleaning - \$249,060.00; Boro Building & Property Maintenance - \$258,045.92; D&A Building Services, Inc. - \$262,607.73; Capital Contractors, Inc. - \$275,482.00; ASK Solutions, Inc. - \$276,039.36; Grosvenor Building Services - \$281,148.00; ISS C&S Facility Services - 286,691.88; J Mar Cleaning Services, Inc. - \$288,802.00; The San Francisco Group - \$294,793.00; ABC Clean All, Inc. - \$300,852.00; and Performance Cleaning Group - \$325,670.00. The Selection Committee recommends entering into contract with USSI.

10-11-11-3-e-10

11. 2011/2012 Small County Consolidated Grant Agreement - Solid Waste

This is the 2011/2012 Small County Consolidated Grant Agreement for State Assistance Under Section 403.7095(3), Florida Statutes for the direct costs associated with the disposal of Sumter County's municipal solid waste.

CLERK'S NOTE: This item was added to the agenda at the request of Mr. Arnold.

Vice Chairman Breeden moved, with a second by 2nd Vice Chairman Gilpin, to approve Agenda Items 1 (Option 2) and Agenda Items 4 through 11 under Contracts and Agreements. The motion carried unanimously 5 – 0.

Commissioner Mask moved, with a second by 2nd Vice Chairman Gilpin, to approve Agenda Item 2 and 3 under Contracts and Agreements. The motion carried 4 – 1 with Commissioner Hoffman voting nay.

f. GENERAL ITEMS FOR CONSIDERATION

1. Inventory Transactions (Staff recommends approval).

10-11-11-3-f-1

2. Canals and Bridges Maintenance (Staff recommends approval).

This item is related to the Sumter County Recreation and Water Conservation and Control Authority (Water Board) which was abolished pursuant to a special referendum and a special act of the Florida Legislature on November 5, 1985. The Stipulated Order of November 14, 1985 and the Final Order dissolving the Water Board and transferring assets of June 27, 1986 required that: "All property, assets, obligations and liabilities" transferred to the Sumter County BOCC, as did "all easements, real estate, and interests therein."

This transfer of obligations included the agreement between SWFWMD, the Withlacoochee River Basin Board and the Water Board of May 6, 1969, as well as the Operation and Maintenance Agreement between the same parties dated January 22, 1970, amended December 20, 1972, and reconfirmed by agreement on May 13, 1986. These agreements indicate that:

1. The Water Board (Sumter County) "... will continue the maintenance of the canals and that our commitments to the land owners for cross-overs, etc., shall be honored...."
2. The Water Board (Sumter County) will "... maintain any and all ditches, canals, levees, dikes and other water control facilities which are in any way connected to, or a part of, the water control system and which are regulated by the water control structures."
3. SWFWMD maintains specific water control structures (dams, weirs, spillways, etc.).

An opinion from SWFWMD legal staff dated November 5, 2002 cast some doubt on the status of the assignment of access easements that were granted to the Water Board to Sumter County BOCC. An aspect of this system, that is not

clearly delineated, are small bridges/cross-overs that were constructed by the US Soil Conservation Service across the canals at several locations which provide access to landowners with property on both sides of the canals. The issue of ownership and responsibility for these small bridges recently came to light in a letter dated August 1, 2011 from Paul A. Wall regarding one of these small bridges which is on his property.

Research into the issue of who is responsible for maintaining these small bridges has revealed:

1. They were built with a load rating of approximately 10T (H-10).
2. There was a joint bridge inspection done in February 1974 by the SCS and the Water Board, and some repairs were made.
3. Several years ago the Sumter County PWD (Road and Bridge) made some repairs to a few of these small bridges at the direction of the Director at that time.

Research has not revealed any correspondence that specifically states these small bridges were to be maintained by the Water Board, hence Sumter County, but the 1969 agreement, as well as the 1972 Operations and Maintenance Agreement and the Court orders for dissolution of the Water Board seem to suggest that.

A typed history from the Water Board files (purported to be that of Mr. Wysong) mentions that the "... local board's obligation was their matching fund, plus all right-of-way, all fences and all bridges" related to the South Sumter Project managed by the Soil Conservation Service.

The 1972 Annual Report of the Sumter County Soil and Water Conservation District reported that "... 55% of the South Sumter Watershed Project was completed this year. Construction included ... 136 drop inlet structures and farm road crossing bridges or culverts, and 14 public road crossings."

There are approximately 20 of these small bridges. Current condition of each is unknown at this point and varies, but cost to assess and maintain/repair is estimated at \$5,000 per bridge, totaling \$100,000. An additional \$50,000 is estimated for related canal repairs. This is not currently funded and is in addition to the Stormwater Management Program Development Task Order approved on September 27, 2011.

It is staff's recommendation to provide an additional \$150,000 to Public Works in Fund 131 (Stormwater) for FY 2011/2012 to conduct condition assessment and maintenance/repairs; accept ownership and responsibility for these small bridges; and task Public Works to develop a sustaining maintenance program and budget for subsequent years, as part of the Stormwater Management Program under development.

CLERK'S NOTE: All documents, agreements, etc. referred to in the above summary are included as part of the agenda packet for this item which is part of the permanent record held by the Clerk of Court.

10-11-11-3-f-2

3. Award of the Florida Department of Law Enforcement Edward Byrne Memorial Justice Assistance Grant (Staff recommends approval).

This grant for \$68,205 is entitled "Sumter County Drug Task Force VI." These funds will be used for the purpose reducing crime and improving public safety. The Contract Number is 2012-JAGC-SUMT-1-C4-205.

10-11-11-3-f-3

4. Notification of award for Fiscal Year 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation in the amount of \$11,738 for Sumter County (Staff recommends approval).

This project known as the "Detention Security Enhancement Program" is supported under FY11(BJA-JAG) 42 USC 3750, et seq.

10-11-11-3-f-4

5. Approve Villages of Sumter (VOS) - Unit 180 & Devon Villas and Chase Bank at 441/27 reviewed at the September 19, 2011, Development Review Committee (DRC) Meeting, and VOS - Units 215 and 225 reviewed at the September 26, 2011, DRC Meeting (Staff recommends approval).

These plans are for the following:

- 1) VOS-Devon Villas - Proposed development of a 66-lot subdivision and related infrastructure on 9.50 acres MOL in The Villages.
- 2) VOS-Unit 180 - Proposed development of a 158-lot subdivision and related infrastructure on 32.58 acres MOL in The Villages.
- 3) Chase Bank-US 441/27 - Proposed construction of a 4,450 sq. ft. bank with four (4) drive thru lanes and related infrastructure on 1.13 acres MOL in The Villages.
- 4) VOS-Unit 215 - Proposed development of a 208-lot subdivision and related infrastructure on 42.20 acres MOL in The Villages.
- 5) VOS-Unit 225 - Proposed development of a 119-lot subdivision and related infrastructure on 28.09 acres MOL in The Villages.

10-11-11-3-f-5

6. Quit Claim Deed for property at the Downtown Wildwood Fire Station No. 31 being transferred by the City of Wildwood to the Board of County Commissioners (Staff recommends approval).

This quit claim deed is a condition of the Memorandum of Understanding with the City of Wildwood regarding the Downtown Wildwood Fire Station #31 that was approved on August 9, 2011. The property being transferred to the City of Wildwood is known as the right-of-way of Gamble Street from Rutland Street south to Hall Street.

10-11-11-3-f-6

7. Quit Claim Deeds conveying back right-of-way to The Villages related to the C466 and I-75 Interchange project (Staff recommends approval).

CLERK'S NOTE: Mr. Arnold advised that the County Attorney has provided an opinion letter regarding these deeds which has been made a part of the record.

These deeds are to convey back to the Developer the right-of-way that was previously conveyed to the County for the C466 and I-75 interchange. There are no current plans for the construction of the new interchange at C466 and I-75.

10-11-11-3-f-7

8. Resolution (No. 2011-55) and Support Letter for Scenic Sumter Heritage Byway (Staff recommends approval).

10-11-11-3-f-8

Commissioner Mask moved, with a second by Vice Chairman Breeden, to approve Agenda Items 1 through 8 under General Items for Consideration. The motion carried unanimously 5 – 0.

4. ADJOURN

The meeting was adjourned at 6:15 p.m.